



**BOARD OF ADJUSTMENT
WEDNESDAY, February 25, 2015
City Hall
Mayor and Council Chambers
225 W. Alameda**

LEGAL ACTION REPORT

Call to Order: 1:30 p.m.

C10-14-17 LA CIMA ESPLENDORA / KB HOME, INC / 10200 EAST ESCALANTE ROAD, R-1

This was a request for reconsideration by staff. The case was previously denied by the Board of Adjustment on December 31, 2014, for a variance request to modify the cut and fill slope standard. Per UDC § 5.3.4.E., “*exposed cut or fill slopes shall be no greater than a one foot rise or fall over a three foot length.*” Further investigation of the case has revealed that a variance was not required, therefore, the Board lacked jurisdiction in rendering a decision on the case. Staff requested that the Board vacate its decision on the matter.

Request to vacate and void the December 31, 2014 Board of Adjustment Decision:

Board voted unanimously to vacate and void its previous decision on the matter.

If you want further information, please call Mark Castro at 837-4979.

C10-15-02 STUDWELL RESIDENCES / RICHARD STUDWELL / 1014 EAST LINDEN STREET, NR-1

The applicant's property is an approximately 12,000 square foot lot zoned NR-1 “Residential” and is located near the southeast corner of Park Avenue and Linden Street. The 12,000 square foot lot is the result of combining two lots that were each originally platted with a lot area of 6,000 square feet. The applicant proposes to split the parcel back into the two original platted 6,000 square foot lots for the purpose of constructing a single-family residence on each lot. A single-family residence is currently under construction on the east half of the lot. The Tucson *Unified Development Code* (UDC) sections applicable to this project include, but are not limited to, Section 4.7.8 and Table 4.8-2 which provides the criteria for residential development in the R-1 zone; and Section 6.4.2.A.3 and Table 6.3-2.A which provides the lot size standards. The applicant is requesting the following variance: 1) To reduce the minimum lot size of lots 17 and 18 from 7,000 square feet to 6,000 square feet, all as shown on the submitted plans.

CASE CONTINUED TO THE APRIL 29, 2015 PUBLIC HEARING. PUBLIC COMMENT PERIOD EXTENDED TO THE CLOSE OF PUBLIC HEARING.

The public hearing will be held at 1:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda Street, Tucson, Arizona. A study session will be held, prior to the public hearing, at approximately 12:30 p.m. **No additional notice will be provided.**

If you want further information, please call Mark Castro at 837-4979.

C10-15-03 SMITH RESIDENCE PORCH ADDITION / DONALD E. SMITH & LAURIE T. LEVON / 4248 EAST MARION TRAIL, R-1

The applicants' property is an approximately 13,460 square foot lot zoned R-1 "Residential" and is located near the southwest corner of Columbus Boulevard and Marion Trail. The property is developed with a single-family residence with an attached porch. The porch was constructed without prior zoning approval or permits. The construction triggers compliance with Tucson *Unified Development Code (UDC)* sections applicable to the new construction. The applicants are seeking the necessary zoning approval to allow the attached porch at the rear of the residence to remain, as constructed with a reduced setback. Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.8 and Table 4.8-2 which provides the criteria for residential development in the R-1 zone and Sections 6.3.4, 6.4.5 and Table 6.3-2.A which provide the development standards applicable to all principal and accessory structures. The applicants are requesting the following variance: **1)** Allow the rear perimeter yard setback for the existing porch addition to remain, as constructed with the setback reduced from six (6') feet to zero (0') foot, as measured from the south lot line, all as shown on the submitted plans.

DECISION: VARIANCE GRANTED SUBJECT TO THE FOLLOWING CONDITION:

- A.** Provide a gutter on the porch roof line to prevent drainage onto adjacent property.

Meeting Adjourned at 2:04p.m.